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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|------------------------------|------------------|
| 09/886,827 | 06/21/2001 | Chuan-Yu Hsu | 56190 (71987) | 6847 |
| 21874 | 7590 | 07/15/2004 | EXAMINER GIBBS, HEATHER D | |
| EDWARDS & ANGELL, LLP P.O. BOX 55874 BOSTON, MA 02205 | | | ART UNIT 2622 | |

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/886,827

Applicant(s)

HSU ET AL.

Examiner

Heather D Gibbs

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1,5,7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oliver (US 6,330,082) in view of Igarashi et al (US 6,161,917).

Regarding claim 1, Oliver teaches a scanning device, comprising: a casing 19; a chassis {carriage 172} slidably mounted in the casing, for being movably driven by a driving unit from a first position to a second position in the casing (Col 8 Lines 17-21); a circuit board {circuitry/software} installed on the chassis, having a first side enclosed in the chassis and mounted with a photoelectric transforming unit for performing image scanning and an opposing second side exposed to the chassis and formed with a plurality of switching units (Col 8 Lines 10-32; Fig 9).

Oliver does not teach a plurality of push-keys installed on the casing and for being in contact with the switching units when the chassis is positioned at the first position, so as to allow the switching units to be operatively cooperative with the push-keys.

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Igarashi teaches a plurality of push-keys installed on the casing and for being in contact with the switching units when the chassis is positioned at the first position, so as to allow the switching units to be operatively cooperative with the push-keys (Col 6 Lines 1-5; Fig 4).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Oliver and Igarashi.

Oliver and Igarashi's invention would be easily modified as both image-processing systems share the same scope of nature and share cumulative features as Igarashi teaches of a driving force for his carriage that is very similar to that of Oliver.

Regarding claim 5, Oliver teaches comprising a home sensor for detecting if the chassis is positioned at the first position (Col 4 Lines 54-61).

Considering claim 7, Oliver teaches wherein the driving unit is a driving motor 120 (Col 5 Lines 38-46).

Regarding claim 8, Oliver teaches wherein the photoelectric transforming unit is a CCD (Charge Coupled Device) 128{Col 1 Lines 10-17}.

4. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oliver in view of Igarashi and further in view of Long et al (US 4,394,555).

Oliver and Igarashi disclose the scanning device as discussed above.

Oliver and Igarashi do not disclose expressly wherein the push-keys is capable of being pressed toward a direction parallel to the circuit board when the push-keys are installed on a top surface of the casing above the circuit board.

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Long discloses wherein the push-keys is capable of being pressed toward a direction parallel (and perpendicular) to the circuit board when the push-keys are installed on a top surface of the casing above the circuit board (Col 2 Lines 25-48; 59-66).

Oliver and Igarashi & Long are combinable because they are adaptive in nature.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Oliver and Igarashi and Long.

The suggestion/motivation for doing so would have been as Coyle implies his invention can be used wherever pushbuttons are needed.

Therefore, it would have been obvious to combine Coyle with Oliver and Igarashi to obtain the invention as specified in claims 2-4.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oliver in view Igarashi and further in view of Maekler (DE 3737218A1).

Oliver and Igarashi disclose the scanning device as discussed above.

Oliver and Igarashi do not disclose expressly wherein the switching units are push-button switches.

Maekler discloses pushbutton {21,22,23,24} sequencing switching units (59,60,61) {Abstract}.

Oliver, Igarashi & Maekler are combinable because they are from the same scope of nature.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Maekler's pushbutton switching unit with the invention of Oliver and Igarashi.

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The suggestion/motivation for doing so would have been as all systems share cumulative features making them additive in nature.

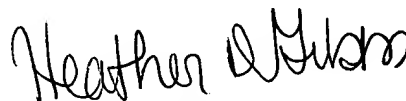
Therefore, it would have been obvious to combine Oliver and Igarashi with Maekler to obtain the invention as specified in claim 6.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D Gibbs whose telephone number is 703-306-4152. The examiner can normally be reached on M-F 8AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703-305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Heather D Gibbs
Examiner
Art Unit 2622

hdg


EDWARD COLES
SUPERVISORY PATENT EXAMINER
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